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Colorado Spill Heightens Debate Over Future of Old Mines

http://www.nytimes.com/2015/08/17/us/animas-river-colorado-mine-spill-epa.html?_r=0

By JULIE TURKEWITZ

AUG. 16, 2015

SILVERTON, Colo. — When the mine here opened in the early 1890s amid a frenzy of frontier gold exploration, its founders gave it a lofty name: the Gold King, reflecting their great hopes for finding riches in its depths. Over the next decade, the Gold King went on to become one of the most productive mines in Colorado's San Juan County, with three shifts of men working 24 hours a day in its dark corridors.

But the mine's prosperity proved short-lived. When the economy hit a recession in the early 1920s, its operators abandoned it, with open tunnels that filled with snowmelt and rainwater that eventually turned to acid, leaving behind a toxic legacy that this region has struggled to clean up for decades.

Then, on Aug. 5, the Gold King split open while a team contracted by the Environmental

Protection Agency was investigating the source of a leak. The accident sent a yellow plume south into the Animas River and turned Western waterways into a mustard ribbon, causing three states and the Navajo Nation to declare states of emergency.

Photo

Retention ponds, built by the Environmental Protection Agency to eliminate much of the heavy metal contamination, hold wastewater from the Gold King Mine. Credit Mark Holm for The New York Times

The accident heightened a debate here over the future of this region's old mines, and served as a reminder, some critics say, that the Gold King's toxic demise could be repeated at any of thousands of abandoned mines around the country.

"Our initial economy was largely driven by mining," Gov. John Hickenlooper said in an interview last week at the State Capitol, a building with a gold-leaf dome that pays homage to this history. "But it left us a sad legacy of these sites that are going to need significant resources to fix. Damage that no one understood or realized that this was going to be an issue."

Colorado "dodged a bullet" this month, he added, saying the effects of the spill could have been far worse had the mine been larger or more laden with metals.

In its heyday, the Gold King produced about 350,000 ounces of high-grade gold, according to its current owner, and its products landed on the fingers of well-off women in New York City, in the pockets of everyday Americans and in the vaults of banks around the world.

After the Gold King shut down, it passed from company to company, with owners who each believed that it would one day be economically feasible to reopen the mine and extract more of the gold and other minerals buried there.

In 1999, Steve Fearn, an engineer, acquired the mine. In 2005, when Mr. Fearn could no longer pay the mortgage, a businessman named Todd Hennis bought it at

foreclosure for \$290,000. Mr. Hennis says the financial deal makes him immune to federal laws that would typically hold him accountable for wastewater spilling from his mine.

Mr. Hennis, who lives in a Denver suburb, said the mine could contain 400,000 ounces of gold and four million ounces of silver, and he hopes to turn a profit by selling.

But by 2011 the Gold King was spitting out metal-laced waste at an average rate of 176 gallons per minute, according to E.P.A. data, and it was just one of several leaky mines in San Juan County with a discharge rate that residents, local officials and experts call alarming.

In the creek below the mines, tests showed that the water had levels of cadmium and copper more than 10 times the maximum federal standard for a waterway that sustains aquatic life, and the level of zinc was more than 40 times that federal standard.

"In highly technical terms," said Ronald Cohen, a professor at the Colorado School of Mines, "I would say it's really ugly."

Photo

Steve Fearn, 71, a former owner of the Gold King Mine who coordinates a group dedicated to cleaning up the mines and improving water quality. Credit Mark Holm for The New York Times

Today, there are two communities directly below the Gold King: Silverton, a town of 655 people that consists mostly of lifelong residents whose families came here generations ago to work in the mines, and Durango, a city of 17,000 that sits 50 miles to the south and is full of retirees and young people attracted by the spectacular hiking, biking and rafting nearby.

The Animas River — the waterway affected by the mine spill and by the daily leakage of toxic waste — is deeply entrenched in the culture and economy of both places, used for fishing, rafting, irrigation, livestock and, in the case of Durango, drinking. But for years, the subject of mine cleanup has divided these communities.

Some have argued that the mines should become a Superfund site, a federal designation that could allow the E.P.A. to build a wastewater treatment plant at an estimated cost of \$5 million.

Others, fearful of the stigma that sometimes comes with Superfund status and leery of federal involvement in local issues, are opposed.

The fault line in the debate often falls between newer arrivals, who tend to favor E.P.A. involvement, and longtime residents, who typically oppose it. The last mine in the county closed in 1991, but some Silverton mining families hold on to hope that the mines will reopen, something that would almost surely not happen if the region became a Superfund site.

NEV.

UTAH

COLO.

Colorado River

Gold King Mine

Cement Creek

CALIF.

DETAIL

Silverton

ARIZ.

N.M.

UTAH

COLORADO

Animas River

San Juan River

Durango

UTE MOUNTAIN

RESERVATION

SOUTHERN UTE RESERVATION

NAVAJO RESERVATION

Colorado River

JICARILLA APACHE

RESERVATION

ARIZONA

50 Miles

NEW MEXICO

By The New York Times

In Silverton over the weekend, residents said the E.P.A.'s accident had heightened the disagreement.

On Saturday, at a spot on a dirt road just across from the Gold King, one of the mine's former owners — Mr. Fearn, a longtime Silverton resident and engineer who is 71 — gazed out at the flow from the mine, which was still running at 600 gallons a minute, more than three times its typical rate.

He explained that a coalition of mine owners, environmental groups, government entities and residents calling itself the Animas River Stakeholders Group had been working together since 1994 to clean up these mines.

Even after the spill, he said, he favors a voluntary collaboration, rather than a federal takeover. "It's our community," he said. "We'd like to have a bit of a say in how it's done."

After he spoke, a turquoise Jeep Cherokee pulled up, and Bill Dodge, a transplant from a Washington suburb who lives part time in Silverton, jumped out wearing a blue fly-fishing hat.

He had heard about the accident and wanted to see the damage for himself. He was tired of the slow-moving stakeholders meetings, he said, with anti-Superfund residents "who scream and yell and complain and don't cooperate."

"We need a treatment plant now," said Mr. Dodge, 74. "I think this is the sort of incident that can provoke a change in attitude."

Jack Healy contributed reporting from Denver.

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